

1 Remarks

2 Amendments to the Claims:

3 Claims 2-7, 12, and 19 have been amended as shown above in the detailed  
4 listing of claims. Specifically:

5 claims 2 and 4 have each been amended to be in independent form and to  
6 include the limitations of claim 1;

7 claims 3 and 5-7 have each been amended to depend from claim 2 rather than  
8 from claim 1;

9 claim 12 has been amended to be in independent form and to include all of the  
10 limitations of claims 10 and 11; and,

11 claim 19 has been amended to be in independent form and to include the  
12 limitations of claims 17 and 18.

13 Rejection of Claims Under 35 U.S.C. § 112:

14 Claim 4 has been rejected under 35 U.S.C. § 112. Specifically, claim 4 recited  
15 the limitation, ". . .the set of label data. . ." in line 3, with insufficient antecedent basis for  
16 this limitation in the claim. Claim 4 has been amended to recite, ". . .a set of label data. .  
17 ." for which no antecedent basis is required. The Applicant therefore respectfully  
18 requests that the rejection of claim 4 be withdrawn and that the claim be allowed.

19 Rejection of Claims Under 35 U.S.C. § 103:

20 Claims 1, 3, 5-11, 17 and 18 have been rejected under 35 U.S.C. § 103(a) as  
21 being unpatentable over U.S. Patent 5,867,335 to Ozue et al. ("Ozue") in view of U.S.  
22 Patent 5,487,171 to Dodt et al. ("Dodt").

23 In regard to claim 1, the Examiner concedes that Ozue does not disclose using a  
24 cartridge stamp in the cartridge memory for labeling or recording the load activity of the  
25 tape cartridge. However, the Examiner contends that Dodt teaches employing date/time  
stamps [on the magnetic tape] to record load activity.

The Examiner contends further that Ozue and Dodt are combinable because they  
are from the same field of endeavor [and that] it would have been obvious to one having  
ordinary skill in the art at the time the invention was made to incorporate Dodt's  
date/time stamps for tape cartridge load activity recording into Ozue's autochanger

1 system in order to provide a faster autochanger capable of conducting loading and  
2 unloading of tape cartridges.

3 The Applicant respectfully contends that the Examiner's argument does not meet  
4 the requirements for a *prima facie* finding of obviousness with respect to claim 1.

5 Among the requirements for establishing a *prima facie* case of obviousness is the  
6 requirement that, "there must be some suggestion or motivation, either in the references  
7 themselves or in the knowledge generally available to one of ordinary skill in the art, to  
8 modify the reference or to combine reference teachings." (MPEP 2142.)

9 The Applicant respectfully contends that the Examiner's argument does not meet  
10 this requirement. Specifically, the reason given by the Examiner for combining the  
11 references is that such a system having the combined elements "would be faster."  
12 However, the Applicant respectfully contends that there is no evidence in the prior art at  
13 the time the invention was made that such a system would necessarily be faster.  
14 Therefore, it is not obvious to one skilled in the art that combining elements of Ozue and  
15 Dodt would result in a faster system.

16 Accordingly, the Applicant respectfully contends that requirements for a *prima*  
17 *facie* case of obviousness have not been met in regard to claim 1. The Applicant  
18 therefore respectfully requests that the rejection of claim 1 be withdrawn and that the  
19 claim be allowed.

20 In regard to claims 3, and 5-7, those claims have been amended to depend from  
21 claim 2, which is indicated in the Office action as being allowable, and which has been  
22 amended to now be in allowable form. Therefore, claims 3, and 5-7 are now in allowable  
23 form because they now depend from an allowable claim. Accordingly, the Applicant  
24 respectfully requests that the rejections of claims 3, and 5-9 be withdrawn, and that  
25 those claims be allowed.

26 In regard to claim 8, the Examiner concedes that Ozue does not disclose using a  
27 cartridge stamp in the cartridge memory for labeling or recording the load activity of the  
28 tape cartridge and updating the cartridge stamp as a result of updating the set of general  
29 data.

30 The Examiner contends that Dodt teaches a system for reading and stopping  
31 reading data from magnetic tape into memory, employing date/time stamps to record  
32 load activity of the tape cartridge 301, and updating the date/time stamp of magnetic  
33 tape cartridge 301 each time after the magnetic tape 100 is loaded for reading or writing.

1 The Examiner also contends that Ozue and Dodt are combinable because they  
2 are from the same field of endeavor. Furthermore, the Examiner contends that it would  
3 have been obvious to one having ordinary skill in the art at the time the invention was  
4 made to incorporate Dodt's date/time stamp for tape cartridge load activity recording and  
5 updating the time/date stamp of magnetic tape cartridge 301 each time after the  
6 magnetic tape 100 is loaded for reading or writing into Ozue's autochanger system in  
7 order to provide a faster autochanger capable of conducting loading and unloading of  
8 tape cartridges with higher accuracy, because Dodt's time/date stamp can provide a  
9 quicker and faster reference of a tape cartridge's loading activity to a system controller  
10 than a control memory does.

11 However, the Applicant contends that updating the general data on the tape  
12 would take the same amount of time regardless of whether a cartridge stamp is stored in  
13 the cartridge memory. Therefore, it is not obvious to one skilled in the art that combining  
14 elements of Ozue and Dodt would result in a faster system. Thus, in view of the  
15 explanation of the requirements for a *prima facie* case of obviousness set forth above  
16 with respect to claim 1, the Applicant contends that the requirements for a *prima facie*  
17 case of obviousness have not been met in regard to claim 8.

18 Furthermore, and notwithstanding the above argument, the Applicant notes that,  
19 "if the proposed modification or combination of the prior art would change the principle of  
20 operation of the prior art invention being modified, then the teachings of the references  
21 are not sufficient to render the claims *prima facie* obvious." (MPEP 2143.01.) In view of  
22 the foregoing, the Applicant asserts that combining the teachings of Ozue and Dodt  
23 requires a change in the principle of operation of the system being modified.

24 Specifically, combining the systems of Dodt or Ozue would require a change in  
25 the principle of operation in order to write/read a cartridge stamp from the cartridge  
memory. The principle of operation of Dodt would require change because Dodt is set  
up only to read a date/time stamp from the tape itself and not from a cartridge memory,  
because Dodt does not teach a cartridge memory. Similarly, the principle of operation of  
Ozue would require change because Ozue is set up only to read informative data from  
the cartridge memory, because Ozue does not teach using a cartridge stamp.

Accordingly, the Applicant respectfully requests that the rejection of claim 8 be  
withdrawn and that the claim be allowed.

In regard to claim 10, the Examiner concedes that Ozue does not disclose storing  
a cartridge stamp in the cartridge memory and replacing the cartridge stamp stored in

1 the cartridge memory with an updated cartridge stamp in response to replacing the set of  
2 label data.

3 The Examiner contends that Dodt teaches a system for reading and stopping  
4 reading data from the magnetic tape into memory, employing date/time stamps to record  
5 load activity of the tape cartridge 301, and replacing or updating the cartridge stamp  
6 stored in the cartridge memory with an updated cartridge stamp in response to replacing  
the set of label data.

7 The Examiner also contends that Ozue and Dodt are combinable because they  
8 are from the same field of endeavor, and that it would have been obvious to one skilled  
9 in the art at the time the invention was made to incorporate Dodt's date/time stamp for  
10 tape cartridge load activity recording and replacing or updating the cartridge stamp  
11 stored in the cartridge memory with an updated cartridge stamp, in response to replacing  
12 the set of label data into Ozue's autochanger system in order to provide a faster  
13 autochanger capable of conducting loading and unloading of tape cartridges with higher  
accuracy, because Dodt's date/time stamp can provide quicker and faster reference of a  
tape cartridge's loading activity to a system controller than a control memory does.

14 However, the Applicant contends that replacing the set of label data stored in the  
15 cartridge memory with an updated set of label data, as is required by claim 10, would  
16 take the same amount of time regardless of whether a cartridge stamp is employed.  
17 Therefore, there is no evidence in the prior art at the time the invention was made that  
combining Ozue and Dodt would result in a faster system.

18 Accordingly, in view of the explanation of the requirements for a *prima facie* case  
19 of obviousness explained above, the Applicant contends that such requirements have  
20 not been met in regard to claim 10. Thus, the Applicant respectfully requests that the  
rejection of claim 10 be withdrawn and that the claim be allowed.

21 In regard to claim 11, because that claim depends from claim 10, the Applicant  
22 contends that claim 11 is nonobvious for the reasons set forth above with respect to  
23 claim 10. Accordingly, the Applicant respectfully requests that the rejection of claim 11  
be withdrawn and that the claim be allowed.

24 In regard to claim 17, the Examiner concedes that Ozue does not disclose  
25 configuring the cartridge memory for storing therein a cartridge stamp. The Examiner  
contends that Dodt teaches a system for reading and stopping reading data from the  
magnetic tape into memory, and employing date/time stamps to record load activity of  
the tape cartridge 301.

1 The Examiner contends further that Ozue and Dodt are combinable because they  
2 are from the same field of endeavor and that it would have been obvious to one having  
3 ordinary skill in the art at the time the invention was made to incorporate Dodt's  
4 date/time stamps for tape cartridge load activity recording into Ozue's autochanger  
5 system in order to provide a faster autochanger capable of conducting loading and  
6 unloading of tape cartridges, because Dodt's date/time stamps can provide a quicker  
and faster reference of a tape cartridge's loading activity to a system controller than a  
controller memory does.

7 However, the Applicant contends that there is no evidence in the prior art at the  
8 time the invention was made that a system combining the elements of Ozue and Dodt to  
9 result in the Applicant's invention as claimed in claim 17 would be faster, nor is there any  
evidence of any other benefits.

10 Accordingly, the Applicant contends that the requirements for a *prima facie* case  
11 of obviousness have not been met in regard to claim 17. Thus, the Applicant  
12 respectfully requests that the rejection of claim 17 be withdrawn and that the claim be  
13 allowed.

14 In regard to claim 18, that claim depends from claim 17. Therefore, the Applicant  
15 contends that claim 18 is nonobvious for the reasons set forth above with respect to  
16 claim 17. Thus, the Applicant respectfully requests that the rejection of claim 18 be  
withdrawn and that the claim be allowed.

17 Allowable Subject Matter:

18 In their respective original forms, claims 2, 4, 12-16, and 19-21 have been  
19 objected to as being dependent upon a rejected base claim, but would be allowable if  
20 rewritten in independent form including all of the limitations of the base claim and any  
intervening claims.

21 Claim 2 has been amended to be in independent form and to include all of the  
22 limitations of claim 1, from which claim 2 depended. Thus, claim 2 is now in allowable  
23 form. The Applicant respectfully requests allowance of claim 2.

24 Claim 4 has been amended to be in independent form and to include all of the  
25 limitations of claim 1, from which claim 4 depended. Thus, claim 4 is now in allowable  
form. The Applicant respectfully requests allowance of claim 4.

Claims 3, and 5-7, have been amended to depend from claim 2. The Applicant  
contends that claims 3, and 5-7, are now allowable because they each depend from

1 claim 2, which is allowable. The Applicant respectfully requests allowance of claims 3,  
2 and 5-7.

3 Claim 12 has been amended to be in independent form and to include all of the  
4 limitations of claims 10 and 11, from which claim 12 depended. Thus, claim 12 is now in  
5 allowable form. The Applicant respectfully requests allowance of claim 12.

6 Claims 13-16 all depend from claim 12, which is now in allowable form.  
7 Accordingly, the Applicant contends that claims 13-16 are now in allowable form. The  
8 Applicant respectfully requests allowance of claims 13-16.

9 Claim 19 has been amended to be in independent form and to include all of the  
10 limitations of claims 17 and 18, from which claim 19 depended. Accordingly, claim 19 is  
11 now in allowable form. The Applicant respectfully requests allowance of claim 19.

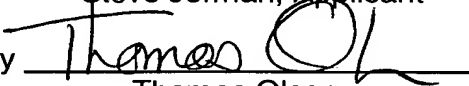
12 Claims 20 and 21 depend from claim 19, which is now in allowable form.  
13 Accordingly, claims 20 and 21 are now in allowable form. The Applicant respectfully  
14 requests allowance of claims 20 and 21.

15 Summary

16 The Applicant believes this response constitutes a full and complete reply to the  
17 last Office action. The Applicant further believes that claims 1-21 are allowable, and  
18 therefore requests timely allowance of those claims.

19 The Examiner is respectfully requested to contact the below-signed attorney if the  
20 Examiner believes this will facilitate prosecution toward allowance of the claims.

21 Date: July 04, 2004

22 Respectfully submitted,  
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24 by   
25 Thomas Olson  
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